

Issued September 27, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1680.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF COFFEE.

On March 15, 1912, the United States Attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bour Co. and the J. M. Bour Co., corporations, Kansas City, Mo., alleging shipment by them, in violation of the Food and Drugs Act, from the State of Missouri into the State of Oklahoma—

(1) On or about December 10, 1910, of a consignment of coffee which was misbranded. The product was labeled: "1 lb. net Bour's Arabian Banquet" (On sticker) "Java and Mocha Coffee Guaranteed Genuine Bour Quality" (On cup) "The J. M. Bour Co., Toledo, Ohio." (Picture of Arabians and firearms.) Examination of samples of this product by the Bureau of Chemistry of this Department showed sample 1 to be 5.6 per cent short weight and sample 2 to be 1.9 per cent short weight. Misbranding was alleged in the information for the reason that it was stated on the labels and brands on the outside of each package of the product that each of said packages contained one pound net "Bour's Arabian Banquet Coffee," whereas, in truth and in fact, the packages did not contain one pound net of coffee but contained less than one pound, and contained from 1.9 per cent less than one pound to 5.6 per cent less than one pound of coffee in each of the packages.

(2) On May 31, 1911, of a consignment of coffee which was misbranded. The product was labeled: "Bour's Arabian Banquet Java and Mocha Coffee 1 lb net Trade (B) Mark. The Bour Company, Toledo-Kansas City (Picture of an Arab)." Examination of samples of this product by the Bureau of Chemistry of this Department

showed the net weight of the five cans examined to be as follows: I, Net weight, 0.981 pound; II, net weight, 0.992 pound; III, net weight, 0.965 pound; IV, net weight, 0.961 pound; V, net weight, 0.972 pound; average net weight, 0.974 pound. Misbranding was alleged in the information for the reason that it was stated on the labels and brands on the outside of each package of the product that each package contained one pound net "Bour's Arabian Banquet Coffee," whereas in truth and in fact they did not contain one pound net of coffee but contained less than one pound, to wit, 0.974 of a pound of coffee in each of the packages.

On April 10, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$10 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *July 26, 1912.*